

## REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 1, 4-5, 8-11, and 14-17 have been amended. Claims 1-19 are pending and under consideration.

Applicant has timely filed a Request for Continued Examination (RCE) along with this Amendment, including the filing fee as set forth in 37 CFR 1.17(e). Accordingly, Applicant respectfully requests that the Examiner withdraw the finality of any Office action and enter this Amendment for consideration under 37 CFR 1.114.

### I. Claim Objections

In the Office Action, at page 2, numbered paragraph 4, claim 11 was objected to because of an informality. Claim 11 has been amended as suggested by the Examiner. Accordingly, withdrawal of this objection is respectfully requested.

### II. Rejection under 35 U.S.C. § 112

In the Office Action, at pages 2-3, numbered paragraphs 5-6, claims 8 and 11 were rejected under the second paragraph of 35 U.S.C. § 112 as being indefinite. Specifically, the limitation "the apparatus" was cited as lacking antecedent basis. Claims 8 and 11 have been amended to provided the proper antecedent basis for all recitations. Accordingly, withdrawal of these § 112 rejections is respectfully requested.

### III. Rejection under 35 U.S.C. § 103

In the Office Action, at pages 3-12, numbered paragraphs 7-8, claims 1-19 were rejected under 35 U.S.C. § 103(a) as unpatentable over Murphy (U.S. Patent No. 6,094,164) in view of Calvert et al. (U.S. Patent Application Publication No. 2002/0102989).

Neither Murphy nor Calvert et al. discusses or suggests "wherein each of the plurality of measuring apparatuses is mobile and calculates only a distance between each of the plurality of measuring apparatuses and the search object, and the plurality of measuring apparatuses located around the search object cooperate with the service device," as recited in amended claim 1. In Murphy, a tracking unit acquires direction information *and* distance information of a search object. Consequently, Murphy operates with *only a single unit* acting as a tracking unit. On the other hand, the invention of claim 1 provides a *plurality of measuring apparatuses*, with

each of the measuring apparatuses calculating *only* a distance between itself and the search object. As a result, each of the measuring apparatuses located around the search object cooperates with the service device (base station), providing a more accurate determination of the position of the search object. In Calvert et al., the wireless system controller is provided at a *fixed point* and does not transmit its own position information to the service device. Instead, the wireless system controller of Calvert et al. determines *by itself* the position of the search object. On the other hand, the invention of claim 1 provides that each of the measuring apparatuses located around the search object are *mobile* and each transmit *its own* position information to the service device, resulting in a more accurate determination of the position of the search object.

Since neither Murphy nor Calvert et al. discusses or suggests “wherein each of the plurality of measuring apparatuses is mobile and calculates only a distance between each of the plurality of measuring apparatuses and the search object, and the plurality of measuring apparatuses located around the search object cooperate with the service device,” as recited in amended claim 1, claim 1 patentably distinguishes over the references relied upon. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

Claims 2-3 depend either directly or indirectly from amended independent claim 1, and include all the features of claim 1, plus additional features that are not discussed or suggested by the references relied upon. Therefore, claims 2-3 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of these § 103(a) rejections is respectfully requested.

Neither Murphy nor Calvert et al. discusses or suggests “wherein each of the plurality of measuring apparatuses is mobile and calculates only a distance between each of the plurality of measuring apparatuses and the search object, and the plurality of measuring apparatuses located around the search object cooperate with the service device,” as recited in amended claims 4-5, 10-11, and 16-17. Therefore, claims 4-5, 10-11, and 16-17 patentably distinguish over the references relied upon. Accordingly, withdrawal of these § 103(a) rejections is respectfully requested.

Claims 6-7, 12-13, and 18-19 depend either directly or indirectly from amended independent claims 5, 11, and 17, respectively, and include all the features of claims 5, 11, and 17, respectively, plus additional features that are not discussed or suggested by the references relied upon. Therefore, claims 6-7, 12-13, and 18-19 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of these § 103(a)

rejections is respectfully requested.

Neither Murphy nor Calvert et al. discusses or suggests "calculating only a distance between each of the plurality of measuring apparatuses and the search object from the response received" and "wherein each of the plurality of measuring apparatuses is mobile, and the plurality of measuring apparatuses located around the search object cooperate with the service device," as recited in amended claims 8 and 14. Therefore, claims 8 and 14 patentably distinguish over the references relied upon. Accordingly, withdrawal of these § 103(a) rejections is respectfully requested.

Claims 9 and 15 depend directly from amended independent claims 8 and 14, respectively, and include all the features of claims 8 and 14, respectively, plus additional features that are not discussed or suggested by the references relied upon. Therefore, claims 9 and 15 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of these § 103(a) rejections is respectfully requested.

#### CONCLUSION

Claims 1-19 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: \_\_\_\_\_

9-5-06

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